
Nuclear Regulatory Commission's Nuclear Export/Import Licensing Program

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Objective

Discuss:

- *NRC's roles and responsibilities*
- *What NRC licenses*
- *How decisions are made*

NRC's Statutory Authority

Atomic Energy Act of 1954, As Amended

Nuclear Materials

- **Source** – natural or depleted uranium, thorium or ores that contain by weight 0.05 percent or more of the source material
- **Special nuclear** – plutonium, uranium –233, or enriched uranium
- **Byproduct** – yielded in or made radioactive by exposure to radiation

NRC's Statutory Authority

Equipment – “Major” Components

- **Reactors** including items within or attached directly to the reactor vessel (e.g., pressure vessels, fuel loading & discharging machines, complete control rod systems, primary coolant pumps)
- **Fuel cycle facilities**
- **Components** especially designed or prepared for use in the above

NRC's Statutory Authority

Equipment – “Minor” Components

- Reactor pressure tubes
- Zirconium tubes for reactor use
- Reactor internals - core support structures, guide tubes
- Steam generators
- Items especially designed or prepared for use in balance of plant or in components listed above

Interagency Reviews

NRC is consulted regarding:

- Agreements for Peaceful Nuclear Cooperation
- Subsequent Arrangements (retransfers)
- Nuclear technology transfers (10 CFR 810)

NRC Export/Import Regulations

10 CFR Part 110

- Reflect AEA requirements
- Establish criteria for approving exports/imports
- Indicate types of public notice & levels of review
- Define possible terms & conditions for general & specific licenses

Criteria for “Major” Nuclear Exports

- Agreement for Cooperation
- Peaceful use only
- Adequate physical security
- USG approval prior to:
 - Subsequent retransfer
 - Alteration in form (reprocessing)
- Full-scope IAEA safeguards in recipient NNWS
- No harm to US common defense and security

Criteria for “Minor” Nuclear Exports

- Full-scope IAEA safeguards in NNWS
- Peaceful use only
- US approval prior to retransfer
- No harm to US common defense and security

NRC Export/Import License Types

General Licenses

- No “piece of paper” this is a license, not an exemption or waiver
- For exports, limited to specific items that do not pose public health or proliferation risk:
 - Small quantities of uranium, plutonium, tritium
 - Dispersed sources of tritium
 - Most reactor-produced radionuclides
 - Minor reactor components to selected list of countries

NRC Export/Import License Types

General Licenses (Continued)

- **Imports** of source or special nuclear materials, or byproduct materials not listed in Appendix P, if US recipient is authorized to possess the material

NRC Export/Import License Types

Specific Licenses

- Application (NRC Form 7) with names & addresses of U.S. & foreign parties, descriptions of commodities to be exported or imported & processing fee must be submitted to NRC
- Consultations with interested U.S. & foreign government agencies initiated to determine whether applicable criteria are met
- If criteria are met, a formal license document (“piece of paper”) is issued

NRC Application Review Process

- All applications received must be made available to the public, some require Federal Register notices (see 10 CFR 110.70 and 110.80 through 82)
- Many exports require US govt. to obtain assurances from foreign govt. agreeing to peaceful use and other criteria
- Some exports require reviews by interested Executive Branch agencies, which is coordinated by Department of State (see 10 CFR 110.41)

Application Review Process

- Radioactive waste **exports/imports** reviewed by EPA, affected States & LLW Compacts
- Certain specified applications reviewed by Commission (see 10 CFR 110.40)
- Licenses either issued or denied, unless application withdrawn or returned without action

NRC Export/Import Actions

- NRC processes approximately 100 non-Appendix P export and/or import applications per year
- Appendix P became effective on December 28, 2005. Thus far, approximately 50 applications received.

10 CFR 110 Periodically Revised

- Lists of “Embargoed” or “Restricted” destinations changed if directed by Executive Branch (see 10 CFR 110. 28 and 110.29)
- Provisions added to enhance controls and accountability for radioactive sources of concern (Appendix P added to Part 110)
- Changes due to Energy Policy Act of 2005 (radium-226 sources and accelerator produced material added to NRC jurisdiction effective in August 2006)
- Changes to implement use of new NRC Form 7 (expands scope to imports and license amendment requests, will be effective later this year)

For additional information:

Info on Office of International Programs:

[**www.nrc.gov/who-we-are/organization/oipfuncdesc.html**](http://www.nrc.gov/who-we-are/organization/oipfuncdesc.html)

Info on Export-Import Licensing:

[**www.nrc.gov/what-we-do/ip/export-import.html**](http://www.nrc.gov/what-we-do/ip/export-import.html)

Info on Appendix P related export-import licenses:

[**www.nrc.gov/what-we-do/ip/final-part110.html**](http://www.nrc.gov/what-we-do/ip/final-part110.html)